

ALLISON J. CHEUNG, CSBN 244651  
Special Assistant United States Attorney  
160 Spear Street, Suite 800  
San Francisco, California 94105  
Telephone: (415) 977-8942  
Facsimile: (415) 744-0134  
E-Mail: [allison.cheung@ssa.gov](mailto:allison.cheung@ssa.gov)

Attorneys for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LATRINA COX,

Plaintiff,

V.

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

Case No.: 2:19-cv-01591-VCF

**STIPULATION FOR THE AWARD AND  
PAYMENT OF ATTORNEY FEES AND  
EXPENSES PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT, 28 U.S.C.  
§ 2412(d)**

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff Latrina Cox be awarded attorney fees and expenses in the amount of five thousand four hundred thirty-two dollars and eighty-five cents (\$5,432.85) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920, 2412(d).

//

//

1 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the  
2 matter of Plaintiff's assignment of EAJA fees to Olinsky Law Group. Pursuant to *Astrue v. Ratliff*,  
3 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will  
4 depend on whether the fees are subject to any offset allowed under the United States Department of  
5 the Treasury's Offset Program. After the order for EAJA fees is entered, the government will  
6 determine whether they are subject to any offset.

7 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that  
8 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees and  
9 expenses to be made directly to Olinsky Law Group, pursuant to the assignment executed by Plaintiff.  
10 Any payments made shall be delivered to counsel, Matthew R. McGarry.

11 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney  
12 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or  
13 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and  
14 all claims that Plaintiff Latrina Cox and/or Matthew R. McGarry, including Olinsky Law Group, may  
15 have relating to EAJA attorney fees in connection with this action.

16 This award is without prejudice to the rights of Matthew R. McGarry and/or Olinsky Law  
17 Group to seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause  
18 provisions of the EAJA.

19  
20 Dated: April 22, 2020

Respectfully submitted,

21 OLINSKY LAW GROUP

22 /s/ Matthew R. McGarry  
23 MATTHEW R. MCGARRY  
24 (\*as authorized via email on April 22, 2020)  
25 Attorney for Plaintiff  
26

1  
2 Dated: April 22, 2020

Respectfully submitted,

3 NICHOLAS A. TRUTANICH  
4 United States Attorney

5 /s/ Allison J. Cheung  
6 ALLISON J. CHEUNG  
7 Special Assistant United States Attorney  
8 Attorneys for Defendant  
9

10 IT IS SO ORDERED.

11   
12 HON. CAM FERENBACH  
13 UNITED STATES MAGISTRATE JUDGE

14 DATED: 4-22-2020  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I, Allison J. Cheung, certify that the following individual(s) were served with a copy of the foregoing **STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d)** on the date, and via the method of service, identified below:

**CM/ECF:**

Matthew R. McGarry  
[mmcgarry@windisability.com](mailto:mmcgarry@windisability.com)  
Attorney for Plaintiff

Hal Taylor  
[haltaylorlawyer@gbis.com](mailto:haltaylorlawyer@gbis.com)  
Attorney for Plaintiff

Dated: April 22, 2020

/s/ Allison J. Cheung  
ALLISON J. CHEUNG  
Special Assistant United States Attorney